

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
RICHARD W. NAGEL  
CLERK OF COURT

2018 NOV -7 PM 3:53

UNITED STATES OF AMERICA

: CASE NO.

**1:18CR 034**

v.

: JUDGE

**DLOTT**

: SUPERSEDING INDICTMENT

IZMIR KOCH,

: 18 U.S.C. § 249(a)(1)

: 18 U.S.C. § 1001

Defendant.

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**THE GRAND JURY CHARGES:**

**BACKGROUND**

Unless otherwise indicated, at times material to this Indictment:

1. On or about February 4, 2017, Victim-1 enjoyed the services of a restaurant located in Cincinnati, Ohio (the "Restaurant"). Victim-1 stepped outside of the Restaurant to meet a friend and smoke a cigarette.
2. **IZMIR KOCH**, the defendant, was outside the Restaurant with others.
3. **KOCH** yelled out, asking, in substance and in part, if anyone was Jewish.
4. Victim-1 responded, in substance and in part, that he was Jewish. **KOCH** then ran to Victim-1 and punched Victim-1 in the head. Victim-1 fell to the ground.
5. **KOCH** and others continued hitting and kicking Victim-1.
6. Victim-1 sustained injuries from the attack, including rib contusions and a fracture of his orbital floor.

**COUNT ONE**  
**(Hate Crime)**

On or about February 4, 2017, in the Southern District of Ohio, the defendant, **IZMIR KOCH**, willfully caused bodily injury to Victim-1 because of the perceived religion of Victim-1; to wit, **KOCH** hit and kicked Victim-1 after Victim-1 represented that he was Jewish, causing injuries including a fracture of Victim-1's orbital floor.

**All in violation of Title 18, United States Code, Section 249(a)(1).**

**COUNT TWO**  
**(False Statements)**

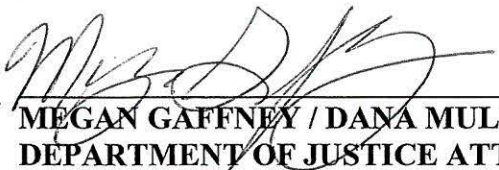
On or about October 18, 2018, in the Southern District of Ohio, the defendant, **IZMIR KOCH**, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations; to wit, **KOCH** represented to agents of the Federal Bureau of Investigation, which is an agency of the executive branch of the federal government, that **KOCH** never said anything bad about Jews that night; **KOCH** was not involved in a fight that night; and the entire fight consisted of two punches.

**All in violation of Title 18, United States Code, Section 1001.**

**A TRUE BILL**

11/5/11  
**GRAND JURY FOREPERSON**

**BENJAMIN C. GLASSMAN**  
**UNITED STATES ATTORNEY**

  
**MEGAN GAFFNEY / DANA MULHAUSER**  
**DEPARTMENT OF JUSTICE ATTORNEYS**